

UNITED STATES BANKRUPTCY COURT

FOR THE

**EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In the Matter of:

ANDREW PAUL CICHOSZ

Debtor

Chapter 13

Case No. 15-13059-KHK

MOTION TO DISMISS,
NOTICE OF MOTION TO DISMISS
AND
NOTICE OF SCHEDULED HEARING ON THIS MOTION

Thomas P. Gorman, Chapter 13 Trustee, has filed this motion to dismiss your Chapter 13 case. The cause for this motion is as follows:

Pursuant to 11 U.S.C. §1307(c)(6) - Material default by Debtor as is reflected in the attached Trustee's Report of Receipts and Disbursements.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not wish the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then on or before five business days prior to the hearing date, you or your attorney must:

File with the court a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1(H). Unless a written response and supporting memorandum are filed and served by the date specified, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing. If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before five business days prior to the scheduled hearing. You must mail a copy to the persons listed below.

Notice and Motion to Dismiss

Andrew Paul Cichosz, Case #15-13059-KHK

Attend the hearing to be held on January 30, 2020 at 1:30 p.m., in Courtroom III on the 3rd floor, United States Bankruptcy Court, 200 South Washington Street, Alexandria, VA 22314. If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

A copy of any written response must be mailed to the following persons:

Thomas P. Gorman
300 North Washington Street, Ste.400
Alexandria, VA 22314

Clerk of the Court
United States Bankruptcy Court
200 South Washington Street
Alexandria, VA 22314

If you or your attorney do not take steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: December 18, 2019

/s/ Thomas P. Gorman
Thomas P. Gorman
Chapter 13 Trustee
300 N. Washington Street, #400
Alexandria, VA 22314
(703) 836-2226
VSB 26421

CERTIFICATE OF SERVICE

I hereby certify that I have this 18th day of December, 2019, served via ECF to authorized users or mailed a true copy of the foregoing Motion to Dismiss, Notice of Motion and Notice of Hearing to the following parties.

Andrew Paul Cichosz
Chapter 13 Debtor
2826 Yarling Ct
Falls Church, VA 22042-4465

Neil Spencer Welles
Attorney for Debtor
Welles Law, Pc
10195 Main Street, Suite I
Fairfax, VA 22031

/s/ Thomas P. Gorman
Thomas P. Gorman

CASE NO: 15-13059-KHK

STATUS: ACTIVE

DEBTOR: XXX-XX-4592

CICHOSZ, ANDREW PAUL

AKA:

SCHEDULE: 468.13 MONTHLY

TOTAL PAID: 25,902.96

DATE FILED: 09/02/2015 2826 YARLING CT
CONFIRMED: 11/20/2015 FALLS CHURCH, VA 22042-4465

LATEST 341: 10/13/2015

PERCENTAGE: 100.000

ATTORNEY: NEIL SPENCER WELLES

PLAN: 60 MONTHS

WELLES LAW, PC
10195 MAIN STREET, SUITE I
FAIRFAX, VA 22031

1st PAYMENT DUE: 10/2015

Phone: 571 432-0300 Fax: 571 432-0301

ON SCHEDULE: 26,849.35

ACTUAL PAYMENTS: 25,902.96

AMOUNT BEHIND: 946.39

LAST 12 TRANSACTIONS

Date	Source	Amount
09/23/19	MAINSRING PHYSIC	936.26
07/11/19	MAINSRING PHYSIC	1,404.39
04/09/19	PC	1,404.39
01/22/19	MAINSRING PHYSIC	468.13
01/22/19	MAINSRING PHYSIC	468.13
11/06/18	MAINSRING PHYSIC	468.13
10/04/18	MAINSRING PHYSIC	468.13
09/04/18	MAINSRING PHYSIC	468.13
08/06/18	MAINSRING PHYSIC	468.13
07/06/18	PC	468.13
06/05/18	PC	468.13
05/03/18	PC	458.00
04/03/18	PC	468.13
03/01/18	PC	308.00

PLAN AND FILED CLAIMS

CLAIM NO	CRED NO	CREDITOR NAME CLAIM REMARK	DISB CODE LAST DISB	CLASS PAY%	INT. BEGIN INT. RATE	FIX PAY ARREARS	ORG. CLAIM SCHED AMT	APPROVED TO BE PAID	PRIN. PAID INT. PAID	PRIN. DUE INT. DUE
001	IRS*	INTERNAL REVENUE SERVICE	PRO 10/2019	UNS 100.00		0.00 0.00	1,199.06 0.00	1,199.06 1,199.06	977.33 0.00	221.73 0.00
001	IRS*	INTERNAL REVENUE SERVICE	PRO 04/2017	PRI 100.00		0.00 0.00	3,632.68 3,175.00	3,632.68 3,632.68	3,632.68 0.00	0.00 0.00
002	331412	PROFESSIONAL ACCOUNT MGMT	PRO 100.00	PRI 100.00		0.00 0.00	0.00 205.00	0.00 0.00	0.00 0.00	Not Filed
003	331412	PROFESSIONAL ACCOUNT MGMT	PRO 100.00	PRI 100.00		0.00 0.00	0.00 55.00	0.00 0.00	0.00 0.00	Not Filed
004	341086	US BANK NATIONAL ASSOCIATION LOAN MOD APP 10/06/2016	PRO-I 07/2016	SEC 100.00		0.00 0.00	8,437.50 27,000.00	8,437.50 8,437.50	8,437.50 0.00	Closed
005	AMEXP	AMERICAN EXPRESS BANK, FSB	PRO 10/2019	UNS 100.00		0.00 0.00	8,714.70 8,327.68	8,714.70 8,714.70	7,104.19 0.00	1,610.51 0.00
006	337191	CAPITAL ONE	PRO 100.00	UNS 100.00		0.00 0.00	0.00 998.00	0.00 0.00	0.00 0.00	Not Filed
007	333122	DSNB MACYS	PRO 100.00	UNS 100.00		0.00 0.00	0.00 321.10	0.00 0.00	0.00 0.00	Not Filed
008	343869	RICHARD ROCKWELL SEE NOTES IF CLM FILED WILL OBJECT	PRO 100.00	UNS 100.00		0.00 0.00	0.00 10,000.00	0.00 0.00	0.00 0.00	Not Filed
009	342440	SUSAN PERLIN	PRO 10/2019	UNS 100.00		0.00 0.00	700.00 700.00	700.00 700.00	570.56 0.00	129.44 0.00
010	347671	UNIT OWNERS OF CARR AT NEW PROV UNLISTED LATE	PRO 06/2018	SEC 100.00		0.00 0.00	2,921.62 0.00	1,805.00 1,805.00	1,805.00 0.00	0.00 0.00
010	347671	UNIT OWNERS OF CARR AT NEW PROV Split Claim	PRO 10/2019	UNS 100.00		0.00 0.00	0.00 0.00	1,116.62 1,116.62	910.22 0.00	206.40 0.00
799	WELLES	NEIL SPENCER WELLES	PRO 12/2015	ATY 100.00		0.00 0.00	3,000.00 3,000.00	1,000.00 1,000.00	1,000.00 0.00	0.00 0.00
Trustee Administrative Fees								1,455.48	1,455.48	
TOTALS:						0.00 0.00	20,168.06 26,781.78	19,623.54 19,623.54	25,892.96 0.00	2,168.08 0.00

	ADMIN	ATTORNEY	PRIORITY	SECURED	UNSECURED	OTHER		
SCHED AMOUNT:	0.00	3,000.00	3,435.00	0.00	20,346.78	0.00		
CLAIM AMOUNT:	0.00	1,000.00	3,632.68	1,805.00	11,730.38	0.00		
PAID BY TRUSTEE:	0.00	1,000.00	3,632.68	1,805.00	9,562.30	0.00		
PAID BY 3rd PARTY:	0.00	0.00	0.00	0.00	0.00	0.00		
SUB TOTAL:	0.00	0.00	0.00	0.00	2,168.08	0.00	DUE CREDITORS:	2,168.08
INTEREST DUE:	0.00	0.00	0.00	0.00	0.00	0.00	EXPECTED ADMIN:	142.64
CONTINUING:	0.00	0.00	0.00	0.00	0.00	0.00	LESS AVAILABLE:	10.00
BALANCE DUE:	0.00	0.00	0.00	0.00	2,168.08	0.00	APPROX BALANCE:	2,300.72

** Creditor has not filed a Proof of Claim. Accumulated funds will be released to other creditors if no claim is filed with the U.S. Bankruptcy Court by the date of the scheduled Chapter 13 Review Meeting.

Claims with an A code in the DISB/CODE column are placed on hold and need to be resolved. NO disbursements are being made to the creditor.

This is a progress report only and should not be used to calculate a payoff.

CASE NO: 15-13059-KHK

STATUS: ACTIVE

DEBTOR: XXX-XX-4592

CICHOSZ, ANDREW PAUL

SCHEDULE: 468.13 MONTHLY

** Creditor has not filed a Proof of Claim. Accumulated funds will be released to other creditors if no claim is filed with the U.S. Bankruptcy Court by the date of the scheduled Chapter 13 Review Meeting.

Claims with an A code in the DISB/CODE column are placed on hold and need to be resolved. NO disbursements are being made to the creditor.

This is a progress report only and should not be used to calculate a payoff.